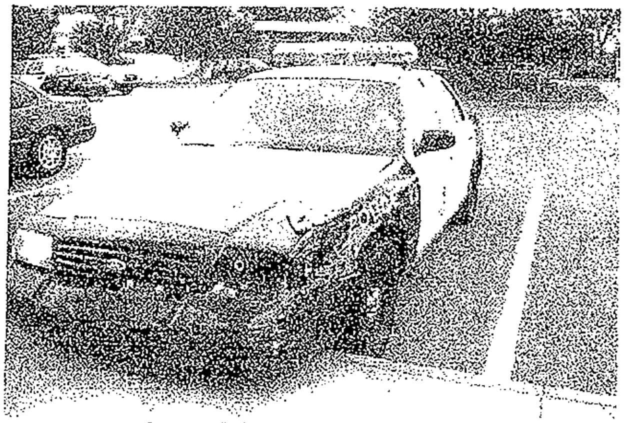

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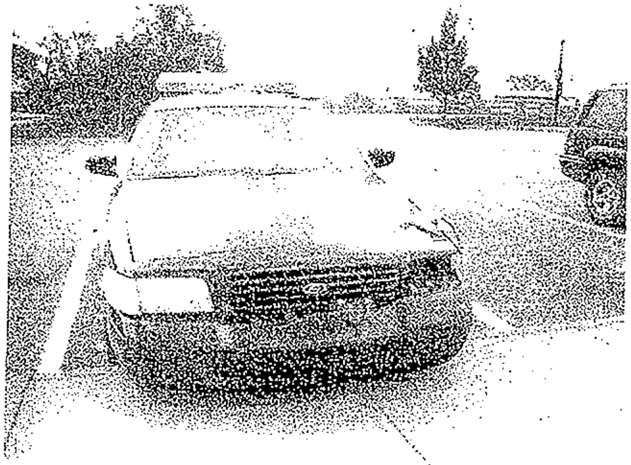

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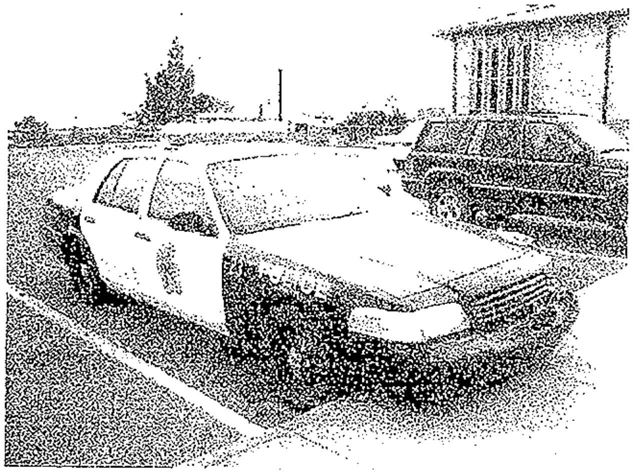

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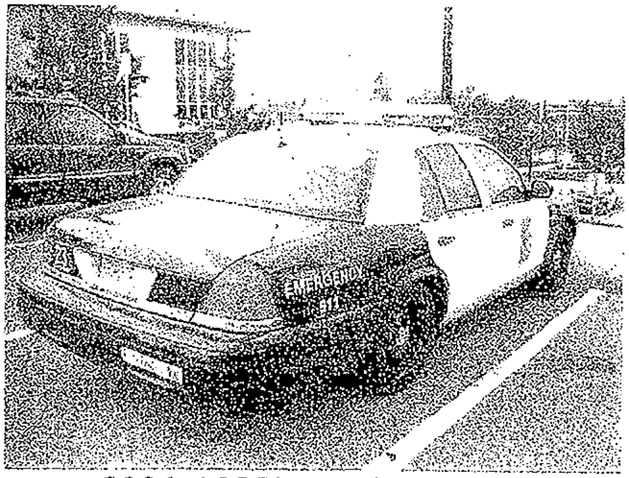

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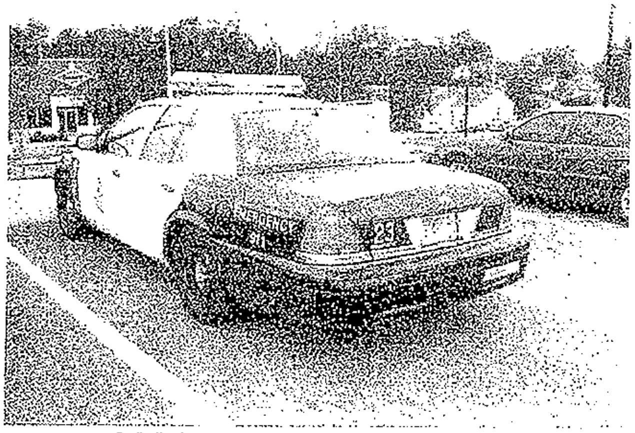

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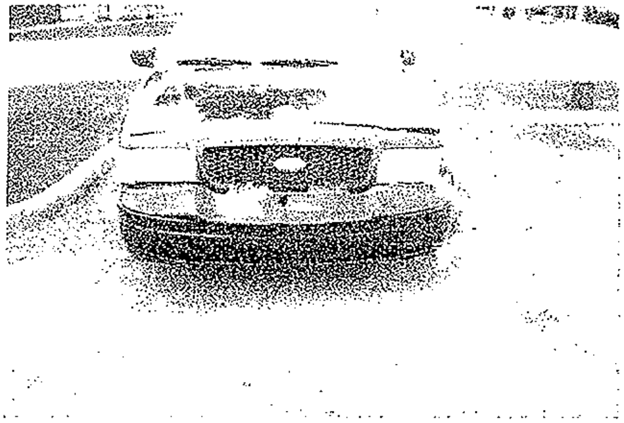
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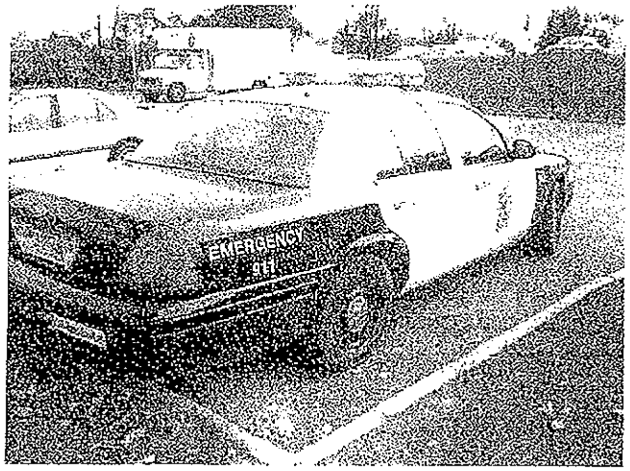
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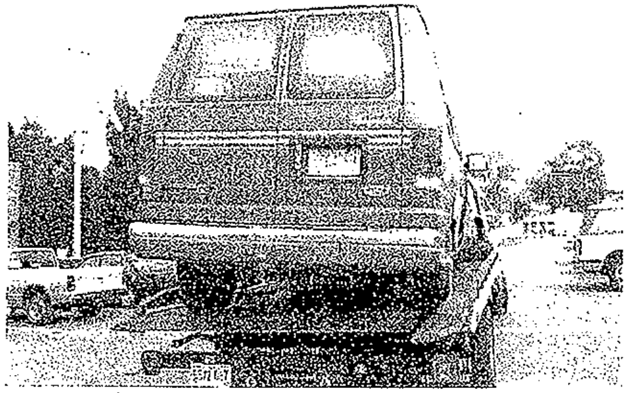

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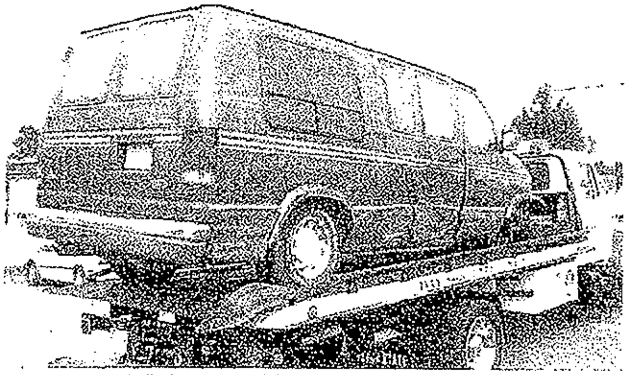

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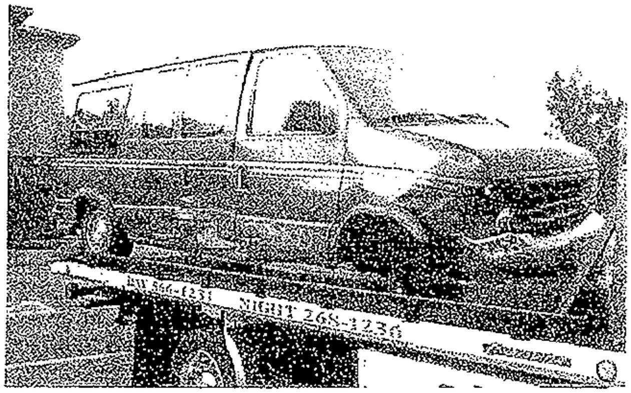
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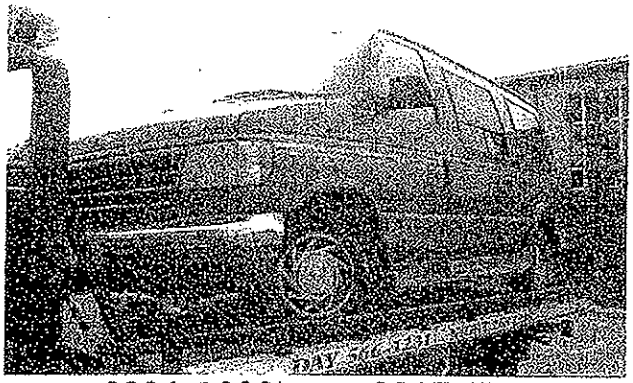

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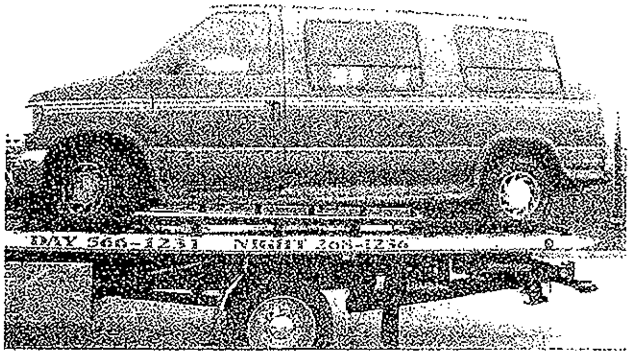
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DAY 566-1251
NIGHT 268-1236

2004_1003Image0019.JPG

Troy Police Department
Recorder Log Sheet
2221 Telephone Log
Case # 04100292
Johnny Fenn

Recorder search result report

Report printed: 07/08/2005 14:05:50
Operator: MANAGER
Serial number: RR11449/10/02

Search start time: 10/03/2004 10:52:00
Search stop time: 10/03/2004 10:56:37

Index	Recording date/time	Duration	Logical channel
1.	03/10/2004 10:52:06	00:01:06	17
2.	03/10/2004 10:53:12	00:00:35	17
3.	03/10/2004 10:54:24	00:02:13	17

Troy Police Department
Recorder Log Sheet
TPD Radio Traffic
Case # 04100292
Johnny Fenn

Recorder search result report

Report printed: 07/08/2005 14:11:33
Operator: MANAGER
Serial number: RR11449/10/02

Search start time: 10/03/2004 10:52:00
Search stop time: 10/03/2004 12:02:54

Index	Recording date/time	Duration	Logical channel
1.	03/10/2004 10:52:41	00:00:08	06
2.	03/10/2004 10:52:52	00:00:19	06
3.	03/10/2004 10:53:14	00:00:12	06
4.	03/10/2004 10:54:08	00:00:23	06
5.	03/10/2004 10:54:42	00:00:05	06
6.	03/10/2004 10:54:48	00:00:23	06
7.	03/10/2004 10:55:16	00:00:17	06
8.	03/10/2004 10:55:33	00:00:25	06
9.	03/10/2004 10:58:00	00:00:16	06
10.	03/10/2004 11:00:53	00:00:38	06
11.	03/10/2004 11:01:42	00:00:26	06
12.	03/10/2004 11:02:10	00:00:14	06
13.	03/10/2004 11:02:26	00:00:13	06
14.	03/10/2004 11:03:09	00:00:17	06
15.	03/10/2004 11:03:29	00:00:08	06
16.	03/10/2004 11:03:44	00:00:05	06
17.	03/10/2004 11:03:51	00:00:07	06
18.	03/10/2004 11:03:59	00:00:04	06
19.	03/10/2004 11:04:18	00:00:11	06
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21.	03/10/2004 11:06:12	00:00:06	06
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36.	03/10/2004 11:29:38	00:00:24	06
37.	03/10/2004 11:33:02	00:00:05	06

Troy Police Department
Recorder Log Sheet
TPD Radio Traffic
Case # 04100292
Johnny Fenn

Recorder search result report

Report printed: 07/08/2005 14:11:33
Operator: MANAGER
Serial number: RR11449/10/02

Search start time: 10/03/2004 10:52:00
Search stop time: 10/03/2004 12:02:54

Index	Recording date/time	Duration	Logical channel
38.	03/10/2004 11:33:08	00:00:23	06
39.	03/10/2004 11:34:37	00:00:25	06
40.	03/10/2004 11:35:03	00:00:05	06
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42.	03/10/2004 11:47:31	00:00:07	06
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46.	03/10/2004 11:51:34	00:00:17	06
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51.	03/10/2004 11:55:04	00:00:15	06
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57.	03/10/2004 11:59:37	00:00:07	06
58.	03/10/2004 12:00:05	00:00:09	06
59.	03/10/2004 12:00:24	00:00:34	06
60.	03/10/2004 12:02:14	00:00:05	06
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62.	03/10/2004 12:02:28	00:00:07	06
63.	03/10/2004 12:02:36	00:00:19	06

STATEMENT OF SGT. CHUCK RAILEY

STATEMENT MADE OCTOBER 4, 2004

SGT. SONNY SCHRIEBER

CASE NUMBER 0410-0292

~~SCHRIEBER: It's October the 4th in the year 2004 at approximately 10:04AM. I'm located at~~ Public Safety Building reference case number 0410-0292. This is a theft of property 1st degree also an assault 2nd degree x two that occurred uh yesterday uh October the 3rd at approximately 11:30AM uh here in Troy and ended up in Brundidge. In the room with me at this time is one of the officers that was involved in this case and also witnessed this case, Sgt. Chuck Railey, spelling last name, R-A-I-L-E-Y. Now Sgt., if you will, tell me from the very beginning of the first call you got, just start from there and go on through and tell me everything that happened as best you can remember.

RAILEY: The first call that we got yesterday on October the 3rd was a criminal trespassing call at Pinckard's Convenience Food Mart on 231 South involving a black male named Johnny Fenn. At that time Officer Hughes and Officer Mueller were dispatched to that location to try to make contact with Mr. Fenn. When we arrived down there he had already left. We had prior knowledge that this subject lived in the area of the Pocosins off of Parron Church Road, in that area, not exactly sure which house.

SCHRIEBER: Let me interrupt you real quick. Did you have any knowledge of any wants or warrants against Johnny Fenn?

RAILEY: Yes sir, we did, we had a knowledge of a felony probation violation warrant against Mr. Fenn to pick him up and arrest him on it.

~~SCHRIEBER: And Pike County Sheriff's Department had that warrant?~~

RAILEY: Yes sir, they did.

SCHRIEBER: Okay, go ahead.

RAILEY: Uh Officer Hughes was riding through the trailer park and that a van matching the description that had been originally given out was occupied by two black males. He lost contact with it. When he found the van again it was only occupied by one black male. That subject advised us that he had dropped Mr. Fenn off at a residence on Smith Road in the Pocosins. Officer Mueller and uh Officer Hughes went to that location to try to make contact with him. I saw another vehicle leaving that area and followed it and at that time Fenn jumped out of that vehicle and ran behind another residence and I lost contact with him. We stayed in the area for several minutes, you know, trying to locate the subject. Uh got a phone call stating that he could have been in a trailer on Cactus Drive. We went to that trailer. Didn't make contact with him there. A Pike County Sheriff's Deputy uh Tommy Price, advised that he had seen the subject while we were at that trailer but he had run from behind another trailer that we were close to, into the woods. We pulled the officers out, tried to set up a perimeter and a call for tracking dogs to see if we could locate Mr. Fenn. At that time Officer Ben Crawley had taken his unit and gone around toward the uh Pocosin Road, in that area, to help set up a containment perimeter and at this time the subject had already gone all the way through the woods over into that area but we weren't, we didn't know about it at that time but Officer Crawley's and his unit on the Pocosin

~~RAILEY: Road. A subject pulled up beside him and motioned that he had a male, man in~~ the truck with him and at that time it was Fenn. He exited that pickup truck and ran again. He ran down the road toward a red Ford Econoline van and I think there were some subjects parking beside the road down there. He jumped into this van and took it without their permission. At this time the Officer Crawley advised on the radio that he had witnessed the subject stealing this van and was leaving on it and that he was in pursuit. Uh Officer Crawley advised that Fenn preceded up Pocosin Road and took a right-hand turn onto Parron Church Road that was gonna take him back out toward 231. That's where I was located. Officer Mueller was located in that area. Two Sheriff's Deputies, I believe it was Sam Mallory and Tommy Price, were in that area and also Officer Mike Hughes. Uh I met Fenn on the roadway, tried to get him to stop. He went around my vehicle. I turned around and we called out a 10-100 pursuit. Officer Mueller passed by me and we started up Parron Church Road headed in the direction of 231. This is where Officer Hughes, Deputy Price and Deputy Mallory were located. In an effort to try to get uh Fenn to stop Officer Hughes and Deputy Price set up a rolling roadblock. They just put both of their units and tried to get the subject to stop in the road.

SCHRIEBER: So they were driving side by side?

RAILEY: Yes sir.

SCHRIEBER: In front of this subject vehicle?

RAILEY: Yes sir.

SCHRIEBER: In the same direction?

RAILEY: Yes sir.

SCHRIEBER: Okay.

RAILEY: But uh Fenn refused to stop. At this time he rammed the rear bumper of Officer Hughes' patrol car trying to force them out of the way.

SCHRIEBER: Well, what, what kind of speeds were y'all at at this time, do you know?

RAILEY: I would say anywhere from thirty-five to forty-five miles an hour.

SCHRIEBER: Okay.

RAILEY: Uh when Fenn struck Officer Hughes' car trying to push it off the road Fenn's car went off to the left-hand side of the road, correction, he went off the right-hand side of the road, struck somebody's mailbox, came back up onto the road and then he uh got to the driver's side of Officer Hughes' patrol car. I think he goes up the side of the car scrapping it trying to push Officer Hughes off the road again. He gets his van around in front of Officer Hughes' car

RAILEY: because getting back upon the road doing serious damage to Officer Hughes' car and disabling his patrol unit. At this time Fenn's van spins out of control and hits Officer Mueller's car. He gets the van straightened back up and he precedes on Parron Church Road into the ditch and up 231.

SCHRIEBER: Okay, let me interrupt you again. Now back up just a little bit. When he come up behind Officer Hughes' car, when he rammed it from behind, so his front bumper to Officer Hughes' back

RAILEY: Back bumper.

SCHRIEBER: Okay, now, in your opinion, at this time is this particular contact uh was Johnny Fenn in control of the van?

RAILEY: He was. He knew what he was doing because it was an intentional effort to knock Officer Hughes out of the roadway, disable him and then possibly endanger his life if Officer Hughes goes into the ditch he's gonna wreck his car and he's trying to push him out of the way, intentionally get him out of the way so he can leave.

SCHRIEBER: Okay and you say at that point uh the van left the roadway, got back on the roadway and then come up beside Officer Hughes' car?

RAILEY: Uh, well, then the passenger side of the van, see the driver side officer, he had to slow up.

SCHRIEBER: Okay and then preceded to ram the car again?

RAILEY: Yes sir.

SCHRIEBER: Uh, uh again, I ask you, in your opinion, was Mr. Fenn in control of the van when this occurred?

RAILEY: He was, it was from my vantage point which I was one car behind Officer Hughes when he, this was an intentional effort to push him off of the roadway and do bodily harm.

SCHRIEBER: Okay, all right, so then you said Officer Hughes was eventually forced off the roadway disabling his vehicle?

RAILEY: Yes.

SCHRIEBER: Okay, go ahead then.

RAILEY: Uh Officer Hughes pulled to the side, the other patrolmen just preceded on. At this time uh Officer Mueller is behind Mr. Fenn. He had significant damage to his car uh but he

RAILEY: was still able to continue into the pursuit. We turned out onto 231. He driven, Fenn recklessly pulled out in the front of traffic and disregard the human life, he was just, you know, making his best effort to get away. He turned south and starts headed toward Brundidge, Alabama. At this time I pass Officer Hughes uh Officer Mueller, excuse me, and uh I'm the primary unit behind Mr. Fenn. Uh we reached speeds on 231, eighty-five, ninety miles an hour headed in the direction of Brundidge, Alabama, which was approximately seven or eight miles, I think that we had to travel before we got there.

SCHRIEBER: Okay.

RAILEY: Uh

SCHRIEBER: But you got to alert Brundidge that you were coming?

RAILEY: We did, our dispatcher had already been on the phone contacting them and trying to get an effort set up for Brundidge unit to make the effort to terminate the pursuit. Uh we traveled all the way to Brundidge and approached the main intersection of US231 and Highway 10 in Brundidge. Fenn, before he reaches the intersection he cuts across the median at a paved cut-off and preceded into the parking lot of the Amoco Station at the intersection of 231 and 10, recklessly drives through the parking lot, in front of the gas pumps and back out onto S. A. Graham Boulevard. At this time the other units that were still involved in the chase were myself, the Sheriff's Deputies and Officer Mueller and now a Brundidge unit uh when Fenn exited the

RAILEY: ~~parking lot he intentionally rammed Officer Mueller's car, striking it in the rear~~ driver's side door, doing more damage to his unit and another effort to run him off the road and to knock him out of the chase. Uh at that time the uh Highway 10 or S. A. Graham Boulevard in Brundidge we precede through town to the Main Street in Brundidge at the intersection of Brundidge and uh Main Street and S. A. Graham Boulevard. Fenn takes a left turn through the parking lot of the gas station at that location and at this time he's headed back in the direction of either 231 or Banks depending on which road he takes. He goes straight across the intersection there at the IGA and precedes onto Galloway Road which is in, now we're in Brundidge, Alabama, and uh I'm not real sure how far we traveled down Galloway Road. Fenn at that time took a left turn onto I believe what may have been Hill Street in Brundidge which is a dead-end. He goes to the top of the hill at the dead-end and uh has no where to go so he takes a left turn and he cuts through the yard of two residences onto another paved road. I'm not sure of the name of that street. He precedes down that street back onto Galloway Road headed back into the direction of Brun, into the City of Brundidge. He uh while traveling back toward Brundidge he reached speed again probably in excess at this time of seventy, eighty, possibly eighty-five miles an hour uh he takes a right turn onto what I believe may have been Windmill Street. We precede on Windmill Street back at the direction of what is known as Business 231 in Brundidge, Alabama, and we top a hill. At this time a Brundidge Police unit occupied by Officer King turns off of Business 231 onto Windmill Street where uh it I would say a couple of hundred yards to spare that Fenn can see him. Officer King turns his unit onto the street headed into the direction of uh Fenn. Uh the officer stopped his unit in the middle of the street in an effort of try to get Fenn to stop. Fenn made no effort to go to the left or to the right to go around his vehicle. He

RAILEY: just rammed this police unit head-on, I think in an effort to cause more bodify harm to the officer. Uh the cars collided doing significant damage disabling both vehicles. At this time Fenn is physically able to exit his vehicle. He runs across the street into the yard of a residence. Myself, Officer Ben Crawley and Deputy Tommy Price leave in our units and get in foot pursuit of the subject. He runs behind this house, jumps approximately two fences and runs across a vacant lot into the direction of Old Business or Business 231 in Brundidge and at that time that's where he surrendered and was taken into custody by officers.

SCHRIEBER: Okay, now backtrack just a little bit. After he struck Officer Hughes' car he came back and he struck Officer Mueller's car the first time.

RAILEY: The first time.

SCHRIEBER: Okay, now that, do you know if, if that was a result of him intentionally striking Officer Mueller's car or was that trying to regain or had loss control of his vehicle uh from hitting Officer Hughes' car? What would be your opinion on that?

RAILEY: I think it was a still in a continuos effort to try to get away. He was making whatever effort he could so I would think it was an intentional effort to knock another unit out of the chase.

~~SCHRIEBER: Okay and then you stated uh in Brundidge after he exited the parking lot of the~~ Amoco Station he again struck Officer Mueller's car and you stated at that time without question that was intentional. Uh what, tell me about that a little more in detail.

RAILEY: From my vantage point he made no effort to turn. He saw Officer Mueller coming up the road which Officer Mueller was gonna to try to cut him off. Fenn, at that time, he could have turned left, he could have turned right, he could have made an effort to miss Officer Mueller's patrol unit and he made no such effort. He intentionally tried to ram Officer Mueller, I think, and knock him in, into the curb or into the business district of Montgom of, of Brundidge across the road uh 'cause he made no effort to turn.

SCHRIEBER: So he had plenty of room to maneuver. He could have stopped?

RAILEY: He could (unintelligible).

SCHRIEBER: (Unintelligible), okay, all right, and then after that when he struck Officer King's car there in Brundidge. You stated Officer King turned onto that road then stopped. So his car was actually at a standstill.

RAILEY: Yes, it was.

SCHRIEBER: At the time it was struck and then and the way you explained it, correct me if I'm

~~SCHRIEBER: wrong, even, even for several seconds if not longer uh before the impact?~~

RAILEY: Yes sir.

SCHRIEBER: Okay, so you stated that he had about a couple of hundred yards between the two vehicles.

RAILEY: But when he first, when he first should have seen Officer King's car uh Officer King was turning onto Windmill Street and then Fenn, you know, there was nothing blocking or obstructing his view. He, you know, he saw this car. When Officer King turned his unit onto Windmill Street. I don't know, he may have come fifty or seventy-five yards down onto Windmill Street and stopped his unit. At this time we were coming down a hill which a clear point of view to see this uh Fenn saw his car and he had, I believe, ample room, he could have gone to the left, he could have gone to the right, or he could have stopped and he made no such effort. He just rammed the car head-on.

SCHREIBER: You saw him make no effort to stop his van, the van he was driving at all?

RAILEY: No sir.

SCHRIEBER: At about what speed would you estimate that he hit Officer King's car, would you have any idea?

~~RAILEY: I would think he probably was doing better than fifty miles an hour.~~

SCHRIEBER: All right and, and Johnny Fenn was able to exit the vehicle and run?

RAILEY: Yes sir.

SCHRIEBER: Do you know if Johnny Fenn received any injuries whatsoever?

RAILEY: I asked Mr. Fenn at the scene if he needed medical attention, he advised he did not. He did not have any injuries. I didn't see any cuts or anything that would have indicated that he was injured.

SCHRIEBER: Do you know if any officers received any injuries at all?

RAILEY: Officer King I know had some swelling to his right hand and wrist area. He had several cuts and scratches on him. Uh I know he did go to the hospital but if he had any other injuries I don't know about those. Uh the only other officers uh Officer Mueller received a scratch to his elbow and uh Officer Hughes, I'm not sure.

SCHRIEBER: Okay, no uh nothing required, as far as Officer Hughes and Officer Mueller nothing was required, required any medical attention that you're aware of?

RAILEY: No sir.

SCHRIEBER: Okay, mainly bumps, bruises and scratches, would that be correct?

RAILEY: Yes sir.

SCHRIEBER: Okay, all right, now you had stated that uh this was Johnny Fenn that you were chase, y'all were chasing and I'm gonna show you a picture here and tell me if that's Johnny Fenn, the same person we're talking about.

RAILEY: Yes, it is.

SCHRIEBER: Okay, so that is without question the person that you got through chasing yesterday, the person that officers saw steal a van and, excuse me, the person that rammed three patrol cars?

RAILEY: Yes sir, it is.

SCHRIEBER: Okay and you are in the fact the Sgt. in command during all this yesterday, is that correct?

RAILEY: Yes sir, I was.

SCHRIEBER: Okay, so you were involved in it and you were able to monitor and, and keep tabs on everything because you were in charge of how things went?

RAILEY: Yes sir.

SCHRIEBER: Okay and without a doubt uh everything you told me is true and correct?

RAILEY: Yes sir.

SCHRIEBER: All right, anything that you want to add that I have not asked you?

RAILEY: No sir.

SCHRIEBER: All right, end of statement at 10:23AM.

Transcribed 10/21/04 by Jacqueline R. Carlisle

STATEMENT OF BEN CRAWLEY

Statement taken on October 18, 2004

Transcribed on December 1, 2004

Sgt. Sonny Schrieber
CN0410-0292

SCHRIEBER: It is October the 18th, in the year 2004, at approximately 1:14 p.m. I'm located at the public safety building in reference CN0410-0292. This is an incident that occurred on October 3rd of this year. It's a theft of property in the first degree and also two counts of assault second in the, in the assault in the 2nd degree. In the room with me at this time is a witness to these events, Officer Ben Crawley, spelling last name C-r-a-w-l-e-y. Uh Officer Crawley, if you will, uh start at the beginning and tell me what you know and what you saw during this incident.

CRAWLEY: On October 3rd, two officers were dispatched to Pinckard's on Highway 231 South in reference to Johnny Fenn was on the premises and was not supposed to be. While in route to the gas station the officers were notified that Johnny Fenn had already left the scene and was possibly heading to the Pecosin Road at his place (unintelligible). The officers went to the Pecosin area and while down in the Pecosin area Sgt. Railey saw the subject and chased, had a big foot chase with him on foot. Chased him on foot but (unintelligible). During that time I responded down to the Pecosin area just off of Paran Church Road to assist with the search of Johnny Fenn. While we were down there and we were searching around some trailers, just off of Paran Church Road, when a Pike County Sheriff's Deputy, a guy named Tommy Price pulled up, got next to where we were and said he just saw Johnny Fenn running into the woods behind the trailer. Ran into the woods, uh I probably went in the woods approximately about a hundred yards (unintelligible) locate Johnny Fenn when Sgt. Railey radioed us and told us to come out of the woods cause he was going to call for the tracking dogs. So I came out of the woods and told Sgt. Railey I was about to go ride the perimeter around the area on the

~~road in case he come out of the woods. While I was on this perimeter I turned on the~~ Pecosin Road and I parked my car on the side of the road so I could watch several hundred yards in front of me and behind me. While I was sitting there in my vehicle, my unit, I saw a blue pickup approaching me from behind, a blue Chevrolet pickup occupied by a white male driver, a black male in the passenger seat. The pickup pulled up parallel to my patrol unit and the white male driver started pointing at the black male sitting in the passenger seat. At this time the passenger, the black male, jumped out of the pickup and started running back towards Paran Church Road.

SCHRIEBER: Was it Johnny Fenn?

CRAWLEY: It appears to been (unintelligible) Johnny Fenn.

SCHRIEBER: Okay.

CRAWLEY: I started, I jumped out of my patrol unit and proceeded on foot. As Johnny Fenn came up to uh the intersection, Paran Church Road and Pecosin Road, there was a van parked on the side of the road that he jumped into. The owner of the van was standing outside of the van. Her and her little girl had just got out of the van. I had witnessed them getting out of the van right before he got to it. When he got to the van, he jumped in it. The woman ran up to the van, was reaching in the window, the driver's side of the window trying to pull Johnny Fenn out. And I yelled at her to get back, get away. And she did at that time. At this time, Johnny Fenn had put the van in reverse and backed the van up down the middle of the street where I was. I had to move over to the side of the road to get out of his way. I drew my weapon out and pointed it at Johnny Fenn and ordered him to stop. He ignored my verbal command and placed the vehicle in

~~drive and started heading towards uh Paran Church Road. He turned right on Paran~~ Church Road. By that time Officer Mueller had responded and Officer Mueller was in, was right behind him in pursuit. I had to run back to my patrol unit, which was approximately 100 yards back down the road. I grabbed my unit and proceeded to catch up to the chase. During the chase, I heard Officer Hughes call out that his vehicle had just been rammed by the suspect and that he was not, no longer able to pursue.

SCHRIEBER: Did you see any of that?

CRAWLEY: No, I did not see that. But as I approached the intersection of 231 and Paran Church Road, I saw Officer Hughes standing outside his vehicle and he was waving me on telling me he was okay, for me to continue the pur, in the pursuit of Johnny Fenn in the stolen red van that he had just stolen. They were 231 southbound towards Brundidge. I proceeded southbound on 231. I made contact with the pursuit that the officer's Jimmy Mueller, Sgt. Railey, Pike county Sherrif's deputies were also in pursuit. I made contact with pursuit, 231 South, just north of the Brundidge city limits. At this time we continued heading southbound on 231 and uh I do not know the name of the road but it's where you're approaching the intersection on 231 in Brundidge, there's some Chevron gas station (Unintelligible).

SCHRIEBER: Uh huh.

CRAWLEY: Johnny Fenn, the suspect, avoidedthe intersection and turned into the Chevron Gas Station. Drove a high rate of speed through the parking lot. Officer Mueller had proceeded on up on the way there and tried to block the entrance, the entrance and exit to the gas station to prevent Johnny Fenn from going any further. At which time Johnny Fenn headed straight towards Officer Mueller and rammed him on the front driver's side of his vehicle.

SCHRIEBER: Okay. Did you see that?

CRAWLEY: Yes. I saw that, I was right behind Officer Mueller when this happened.

SCHRIEBER: Okay.

CRAWLEY: I was directly behind Officer Mueller when it happened.

SCHRIEBER: Do you that uh, that Johnny Fenn could have avoided this accident?

CRAWLEY: Yes. He uh, there was plenty of room for him to continue left which would carry him towards the city of Brundidge but he uh headed straight for Officer Mueller's car.

SCHRIEBER: Okay. So in your opinion, if you had to say, would you say that he rammed Officer Mueller's car intentionally?

CRAWLEY: Yes.

SCHRIEBER: Okay. All right. Go ahead.

CRAWLEY: At this time, a Brundidge police officer had gotten directly behind Johnny Fenn's vehicle as they were heading into Brundidge. Officer Mueller (unintelligible) because he did not know the severity of the damage to his vehicle at this time. And at this time I was the second unit in the chase. Johnny Fenn was in the front, a Brundidge police officer was directly behind and I was directly behind the Brundidge police officer. They continued into downtown Brundidge. There again he took, he cut through the intersection by going through the parking lot at the Pinckard's gas station. And at this time he was headed towards Garrett's IGA in Brundidge. I was still the second unit behind him. They passed Garrett's IGA. He turned onto Galloway Road, traveling at extremely high rates of speed. After Galloway Road in Brundidge, I do not know the names of the sides streets we turned off of through the neighborhoods but he continued making lefts and rights. As soon as making these turns he, the stolen vehicle (unintelligible) coming up on two wheels at which time he he had to either make a left or right turn. At one point in the chase by way of the neighborhood (unintelligible) that dead ended into a cul-de-sac. And he proceeded to drive through yards then, uh jumped the curbs, raced through yards and made it to another street with myself and the Brundidge officer still in pursuit. And it's still Johnny Fenn in the stolen vehicle, the Brundidge police officer directly behind it and myself behind the second unit. The trucks, as we were going by this particular street, and like I say I'm not familiar with the names of the streets but ahead of that I saw another Brundidge police officer turning onto the street heading straight towards Johnny Fenn. But Johnny Fenn rammed the first police officer, (unintelligible) Brundidge police officer had come to a stop in the roadway. There was room for Johnny Fenn to go either to the left of the right to avoid the wreck but instead he went in straight head on into the Brundidge police officer. At this time the van became disabled, the head on collision with the Brundidge police officer. I saw the driver's side door open and Johnny Fenn jumped out and started running again. At which time I exited my vehicle and pursued him on foot. We pursued him through some yards, over a fence and uh after going through, we jumped over a fence and I went to the fence uh I lost my footing and slipped down and fell and uh I thought he'd gained too much ground on me so I went back to my patrol unit to start pursuing again in my patrol unit. By the time I caught back up with him, he was in custody of Officer Mueller and Deputy (unintelligible). And they placed him in Deputy (unintelligible) car. He was laid down in the car on his, his (unintelligible) on the back seat of the car with the driver's side door open, the (unintelligible) side door open and he was kicking and yelling. I opened up the passenger side door. I, I yelled at Johnny Fenn to stop resisting, referring to his kicking. At which time he refused and I pulled out my (unintelligible) my mace and I sprayed him. And at that time he, the car doors were shut and he was apprehended.

SCHRIEBER: Okay. All right. Now at the initial time that yall were given this call down at uh Pinckard's Food Mart and yall were responding down there, you knew in fact that you were going after Johnny Fenn. Is that right?

CRAWLEY: Correct.

SCHRIEBER: Okay. Did the dispatcher or anybody come over the radio and advise you of any um felony warrants or felony warrants on Johnny Fenn?

CRAWLEY: Yes. Uh when the first officer's were responding in reference to criminal trespassing the dispatcher came back over the radio and advised me that the suspect did have felony warrants. (unintelligible).

SCHRIEBER: And they were active.

CRAWLEY: And they were current and active.

SCHRIEBER: Okay. All right. I'm going to show you a picture (unintelligible) has the name Johnny Cephus Fenn, Jr. next to the photograph. Is that the fellow that we're talking about?

CRAWLEY: Yes, it is.

SCHRIEBER: And that's the Johnny Fenn that, that you chased and helped apprehend? Is that correct?

CRAWLEY: Correct.

SCHRIEBER: And that's the Johnny Fenn that you saw run and jump into a van uh and, and steal that van he had no legal right to?

CRAWLEY: Correct.

SCHRIEBER: Okay. Anything that I have not asked you about that you feel like you need to tell me about?

CRAWLEY: Nothing I can think of.

SCHRIEBER: End of statement at 1:24 p.m.

Transcribed by Martha T. Sellers on December 1, 2004.

STATEMENT OF CORNELIUS J. HALL

Statement taken on October 3, 2004

Transcribed on October 19, 2004

Detective Sonny Schrieber
CN0410-0292

SCHRIEBER: It is October 3rd, in the year 2004, at approximately 2:03 p.m. I'm located at the public safety building in reference to CN0410-0292. This is a theft, first degree, that occurred earlier today. In the room with me at this time is Mr. Cornelius Jermaine Hall, spelling first name, C-o-r-n-e-l-i-u-s, middle name Jermaine, J-e-r-m-a-i-n-e, last name Hall, H-a-l-l. Uh he is fiancé to Ms. Dee Ann Brown and was with her, the victim, at the time that this theft occurred. Uh Cornelius, if you will, first of all, give me your address and your phone number.

HALL: Uh 2339 County Road 2257.

SCHRIEBER: Troy?

HALL: Troy, Alabama.

SCHRIEBER: All right.

HALL: 36079. And my phone number is uh 566-1223.

SCHRIEBER: All right. All right, Cornelius. Now my understand is yall were down in the Pecosins this afternoon or the, late this morning. Is that right?

HALL: Right.

SCHRIEBER: All right, tell me what happened.

HALL: Well we was pulling uh one of my vehicles in that we was going to pull to the shop back there. And we noticed that it was closed when we pulled in so I pulled in beside the road there. And we got back in the van to pull it to the house to see (Unintelligible) tell him I brought the car out there because they were expecting it. And uh at the time when we got back up to the garage I was going to take my battery out of it because if they were having ignition, you know, switch, that's just one of the reasons to get it fixed. And uh I was going to take the battery out of it that I got out of her other car that we were going to bring to the shop.

SCHRIEBER: Uh huh.

HALL: And uh by that time, you know, I was getting ready to go to my car and get ready to get ready to take the hood up and I heard her say stop, no. When I turned around Bug was getting in her car, in the van. You know, like we didn't him, I didn't see him coming (unintelligible). But all I heard was she was saying stop, no. I turned around. And that's when I went headed back towards the van. I got to the door and by that time he put it in reverse. And he was pulling off. I opened the door. You know, he sort of dragged me a little bit so I let it go. And I was just telling them, you know, hey get out of the way, get out of the way. Just cause where the police was cause I thought he had drawn his gun. And, you know, it was just, just like that happening.

SCHRIEBER: Uh huh.

HALL: You know, he put it in reverse. Drug me a little bit. I let it go. He took off.

SCHRIEBER: Okay. All right. You said Bug. Now who is Bug?

HALL: That's what we call him. His name is Johnny Fenn.

SCHRIEBER: Johnny Fenn.

HALL: We know him real good because Johnny Fenn's uh my fiance's grandfather married his mom.

SCHRIEBER: Right.

HALL: And we already been told by him a million times don't even go his way or don't, if he (unintelligible) leave, whatever, cause you don't want to fool with him.

SCHRIEBER: Uh huh. But you know him when you see him?

HALL: Yeah, I know him. I know him.

SCHRIEBER: Okay. And this fellow that got in this van, there's no doubt in your mind it was Johnny Fenn?

HALL: Johnny Fenn.

SCHRIEBER: All right, a hundred percent sure.

HALL: A hundred percent.

SCHRIEBER: Okay.

HALL: I've been knowing him since we were little.

SCHRIEBER: Okay. Was the van already running when he got in?

HALL: Yeah, it was running because like I said she pulled right up to, to my car.

SCHRIEBER: Uh huh.

HALL: So I could get my battery out and just get back in the car and pull off.

SCHRIEBER: Okay. All right. At any time, did you see Dee Ann give him permission to get in that van?

HALL: No. No. No.

SCHRIEBER: Did you see him ask if he could have the van?

HALL: No. It was not that, but I know she wasn't going to give it to him because the granddaddy would have had a fit.

SCHRIEBER: Yeah. Does, does, had he ever driven that van around?

HALL: No, no.

SCHRIEBER: Okay. Does he and Dee Ann have anything to do with each other?

HALL: Nah. Uh uh.

SCHRIEBER: (unintelligible) So from what you saw, he jumped in that van and he left. Didn't have permission?

HALL: Not at all.

SCHRIEBER: Okay. Did he threaten anybody?

HALL: Not as far as his, no. Cause I, myself and the cop wouldn't have been saying get out of the road. He might have even ran over us or she (Unintelligible) trying to get to the door (Unintelligible) but he had locked it.

SCHRIEBER: Okay.

HALL: You know, and I just told her to get out of the way. Because he might have would have ran over her or the cop would have shot his gun, you know, you never know so.

SCHRIEBER: Right. But now you, you stated a minute ago that you noticed he had his gun drawn. Now you're talking about the police officer, right?

HALL: Yeah, yeah.

SCHRIEBER: But as far as you know, did you see any weapons on Johnny?

HALL: No, no, no. Cause he didn't have a shirt on or anything like that, you know. I couldn't see no weapon. It happened so fast like I said when I turned around, he was already getting in the van, you know.

SCHRIEBER: Okay.

HALL: I so.

SCHRIEBER: All right. And he took off and left and the police took off after him?

HALL: Yeah, yeah.

SCHRIEBER: Okay. All right. Anything else you want to tell me I haven't asked you?

HALL: Nah, that's basically it, you know. All I (Unintelligible).

SCHRIEBER: All right. End of statement at 2:07 p.m.

Transcribed by Martha T. Sellers on October 19, 2004.

STATEMENT OF DEE ANN BROWN

Statement taken on October 3, 2004

Transcribed on October 19, 2004

Detective ~~Greg Wright~~ Schrieber
CN0410-0292

SCHRIEBER: It is October the 3rd, in the year 2004, at approximately 1:49 p.m. I'm located at the public safety building in reference to CN0410-0292. In the room with me at this time is Ms. Dee Ann Brown. Spelling her name is D-e-e, middle name Ann, A-n-n, last name Brown, B-r-o-w-n. Uh she is the victim in the case which is a theft, first degree. Now Dee Ann, if you will, state your address and your phone number for me.

BROWN: Okay. My address is 2339 County 2267, that is Troy, Alabama. My phone number is 566-1223.

SCHRIEBER: Okay. Now tell me what happened today.

BROWN: Okay um me and my fiancé and my son was going to visit Mr. Tommy Edwards who is (unintelligible) my grandfather (unintelligible). We were uh dropping one vehicle off at his garage.

SCHRIEBER: Where is his garage at?

BROWN: On Pecosin Road.

SCHRIEBER: Okay.

BROWN: Then we dropped that vehicle off or whatever to Mr. Edwards trailer to knock on the door to let them know that we dropped the vehicle off. Once leaving out of Mr. Edward's uh home driveway, we pulled back up into the garage driveway.

SCHRIEBER: Uh huh.

BROWN: (unintelligible) waiting for my fiancé to take his (unintelligible) out of their car so it could be taken back home with us since it was left outside on the property instead up in the garage.

SCHRIEBER: Uh huh.

BROWN: Uh when later turned around, I seen the officer coming on Pecosin Road.

SCHRIEBER: Let me interrupt you. Is this going to be the Pecosin Road or Paran Church Road. Do you know what, do you know the difference?

BROWN: No sir.

SCHRIEBER: All right. The Pecosin Road leaving the Pecosins from the Swindall Road.

BROWN: Yes sir.

SCHRIEBER: The Paran Church Road is the one that turns off 231 and goes back into the Pecosins.

BROWN: Okay. My directions came up 231.

SCHRIEBER: Uh huh.

BROWN: I made the right onto that road.

SCHRIEBER: That's the Paran Church Road.

BROWN: Okay. From there,

SCHRIEBER: Uh huh.

BROWN: I wind down that road (unintelligible) around.

SCHRIEBER: Uh huh.

BROWN: There's uh a paved road on my left hand side. I take that first paved road.

SCHRIEBER: Okay.

BROWN: I'm not sure, I thought it was Pecosin Road.

SCHRIEBER: Okay. You take the first paved road to the left?

BROWN: To my left, yes sir.

SCHRIEBER: Okay. And that, if I'm not mistaken, and that road does come out on the

~~Swindall Road. So that would be the Pecosin Road there. Okay. I'm sorry. Go ahead.~~

BROWN: All right. Um like I said, I seen the officer coming onto the property, you know, onto Pecosin Road, which there was already one that had already been riding back and forth.

SCHRIEBER: Uh huh.

BROWN: And I thought the officer was there thinking we were playing around.

SCHRIEBER: Uh huh.

BROWN: But later found out that they was out there looking for someone. Well shortly after finding that out, the officer jumps out of his vehicle that is to my left further down, like uh about a good feet away from me. He notices that uh the man that was coming out of his driveway had Johnny Fenn in his vehicle. Johnny jumped out of that vehicle towards, towards us. Uh like I said, I'm hearing the officer screaming by then saying stop, stop. I move out of the way. I don't know if he was telling us to move out of the way or if he was trying to talk to Johnny Fenn.

SCHRIEBER: Uh huh.

BROWN: By then Johnny Fenn had jumped into my van. I ran to the driver's side, (unintelligible) get out of my van. He (unintelligible) passenger truck outside trying to stop him. By then I'm (unintelligible) please get away, get away. They was trying to stop Johnny and the van. Johnny attempted to back the van up. He, he could have hit the officer. The officer met him, then in return Johnny took the uh van out of reverse back up into park (unintelligible) head on, leaving off of Pecosin Road. Making a right, which that road that leads you back out onto 231.

SCHRIEBER: Okay.

BROWN: From there I don't know what happened.

SCHRIEBER: Okay. What kind of van is it?

BROWN: Uh I want to say a 1995 Econo Ford van.

SCHRIEBER: Ford Econo van?

BROWN: Yes sir, and it's burgundy in color.

SCHRIEBER: All right. Now this is the, the van that you drive?

BROWN: Yes sir.

SCHRIEBER: Okay. Now I understand that, that this kind of belongs in the family. It's not necessary registered to you.

BROWN: (unintelligible)

SCHRIEBER: But it's, for all intents and purposes it's your van?

BROWN: It's my van, right.

SCHRIEBER: And you use it every day?

BROWN: That's right.

SCHRIEBER: And you, you decide what gets done to it what doesn't.

BROWN: That's right.

SCHRIEBER: Okay. All right.

BROWN: My grandson (unintelligible) is the owner but he will also tell you (unintelligible). I drive that van. It's mine because my two vehicles (unintelligible). I've been driving it even while my mother was paralyzed. I am on the insurance. It's just not registered saying Dee Ann Brown exactly.

SCHRIEBER: Okay. All right. Now the person that jumped in the van. You, you call him Johnny Fenn.

BROWN: Uh huh.

SCHRIEBER: And you know for a fact that it's Johnny Fenn?

BROWN: Yes. Um

SCHRIEBER: How do you know him?

BROWN: Johnny would be my, he's my uncle by marriage.

SCHRIEBER: He's your uncle by marriage?

BROWN: My grandson is William (unintelligible) married Johnny Fenn's mother, Ada McCloud (Unintelligible).

SCHRIEBER: Okay. All right. So you know Johnny when you see him?

BROWN: Yeah, I know him by Bugs but today, I, I screamed out his name, Johnny Fenn.

SCHRIEBER: But, but Bugs is his street name?

BROWN: Yes, that is correct.

SCHRIEBER: And so you have no doubt in your mind whatsoever it was Johnny Fenn.

BROWN: I know, one hundred percent.

SCHRIEBER: Okay.

BROWN: One hundred percent.

SCHRIEBER: And he had no right to your vehicle.

BROWN: Not at all.

SCHRIEBER: Does he, does he ever use your vehicle?

BROWN: Never. I, I wouldn't, if he, if he was hungry I wouldn't invite him into, in the table for a plate.

SCHRIEBER: Okay. All right. But, so the only, the only thing that you've got is, with him, is through marriage. Do you associate with him at all?

BROWN: Not at all.

SCHRIEBER: Okay. So you know who he is. You've been around him before but you, you try not to be around him. Is that what you're saying?

BROWN: I respect that by the marriage I'm (unintelligible) to him, but otherwise it's just high and bye. Just as if I see him in the streets I put my hand up to you with respect. That's all.

SCHRIEBER: Okay. Okay. All right. And he didn't ask you to use your van?

BROWN: Not at all.

SCHRIEBER: He didn't, you didn't give him the keys to the van?

BROWN: No sir.

SCHRIEBER: All right.

BROWN: No conversation whatever. Everything happened so quickly. We seen him jump out of one truck, charge towards us.

SCHRIEBER: Okay. When you and your friend uh tried to stop him from driving off, were, were the doors closed at that time?

BROWN: The driver's side door was. My youngest baby had just jumped out of the van after hearing us screaming and hollering. Cornelius went to grab him, the passenger side.

He drug Cornelius a good feet if not more than that before Cornelius jumped off because when he first put the van in reverse, he could have went straight on up into a fence where there were weeds at.

SCHRIEBER: Uh huh.

BROWN: So uh (unintelligible) he could have got on up in the van but as fast as he was going, next thing but to do just jump off.

SCHRIEBER: Okay. All right. Now you said your baby got out of the van. Uh how old is your baby?

BROWN: He's seven years old.

SCHRIEBER: Seven. Was he in the van when Johnny got in it?

BROWN: He was in there but I'm, I'm so strict about telling my son do not leave, stay, stay seated.

SCHRIEBER: Uh huh.

BROWN: And I, I noticed as, you know, he's hearing us and (unintelligible) excitement for any child.

SCHRIEBER: Uh huh.

BROWN: He looks to see if something is going down the road so yes, that's how Johnny was able to slam that door. My son was just jumping out.

SCHRIEBER: Okay. So they kind of got in and out at the same time.

BROWN: Same time, right.

SCHRIEBER: Okay, all right. Um and then your fiancé, you said?

BROWN: Yes sir.

SCHRIEBER: ~~Was, was actually holding onto the van when it started taking off.~~

BROWN: When it went into reverse,

SCHRIEBER: Okay. All right. Did, did Johnny, did you and Johnny touch each other in any way?

BROWN: Yeah, I struck him right down his chest. That was after he was trying to pass me. I was (unintelligible)

SCHRIEBER: Before he got to the van.

BROWN: We were right there at the van.

SCHRIEBER: Okay.

BROWN: Cause once I, I could see him. He was running towards me like, like we're playing football.

SCHRIEBER: Uh huh.

BROWN: And I'm asking him what's going on (unintelligible) I see the officer had his gun drawn.

SCHRIEBER: Uh huh.

BROWN: (unintelligible) saying to me it's nothing going on. I'm, that I'm not involved in.

SCHRIEBER: Uh huh.

BROWN: So I'm not going to be an innocent bystander.

SCHRIEBER: Uh huh.

BROWN: So I told, I'm telling Johnny no, where you going Johnny. I said, no excuse me, I did not call him Johnny. I said Bug, what are you doing. And then after I see he's already grabbing the door, I tell him Bug, get the hell off of my van.

SCHRIEBER: Uh huh.

BROWN: And by then I'm, the door is already closed. I'm knocking up against the glass and the door itself.

SCHRIEBER: Uh huh. So you try to prevent him from getting in the van.

BROWN: In there, right.

SCHRIEBER: Okay. All right. And you weren't injured in any way?

BROWN: No.

SCHRIEBER: Did he strike you in any way?

BROWN: No.

SCHRIEBER: Okay. Did he threaten you in any way?

BROWN: No, he didn't say nothing.

SCHRIEBER: Okay.

BROWN: It's just, just to look at his eyes and his appearance like he was going through something.

SCHRIEBER: Uh huh. Did uh, did you see any weapons, other, other than the police officer's?

BROWN: No sir. But uh by speaking to the other neighbors and to finding out how Johnny was even over there, he tried taking another, I guess you'd call it a neighbor's weapon off of them from, in the Pecosin area. I guess to use it towards the police.

SCHRIEBER: Uh huh. Okay.

BROWN: But that neighbor did uh manage to take the uh rif, the, rifle, take the rifle out of Johnny's hand

SCHRIEBER: Okay.

BROWN: By then I guess that's when he knew that something was going on.

SCHRIEBER: Okay. Anything else that you think you need to tell me that I have not asked you about?

BROWN: No sir.

SCHRIEBER: Okay. All right then. End of statement at 1:59 p.m.

Transcribed by Martha T. Sellers on October 19, 2004.

ALABAMA JUDICIAL INFORMATION SYSTEM

* * * IN THE DISTRICT COURT OF PIKE COUNTY * * *

AGENCY NUMBER:

WARRANT NUMBER: WR 2004 000604.00
OTHER CASE NBR:

C O M P L A I N T

BEFORE ME THE UNDERSIGNED JUDGE/CLERK/MAGISTRATE OF THE DISTRICT COURT OF PIKE COUNTY, ALABAMA, PERSONALLY APPEARED DEANN BROWN WHO BEING DULY SWORN DEPOSES AND SAYS THAT HE/SHE HAS PROBABLE CAUSE FOR BELIEVING, AND DOES BELIEVE THAT JOHNNIE CEPHUS FENN DEFENDANT, WHOSE NAME IS OTHERWISE UNKNOWN TO THE COMPLAINANT, DID WITHIN THE ABOVE NAMED COUNTY AND

ON OR ABOUT OCTOBER 3, 2004, KNOWINGLY OBTAIN OR EXERT UNAUTHORIZED CONTROL OVER:
A MOTOR VEHICLE, TO-WIT: FORD VAN,
THE PROPERTY OF, TO-WIT: DEANN BROWN, WITH
THE INTENT TO DEPRIVE THE OWNER OF THE SAID PROPERTY,
IN VIOLATION OF 13A-008-003 OF THE CODE OF ALABAMA,
AGAINST THE PEACE AND DIGNITY OF THE STATE OF ALABAMA.

De'Ann Brown
COMPLAINANT'S SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 04 DAY OF OCTOBER, 2004.

Joyce Pennington
~~JUDGE/CLERK~~/MAGISTRATE OF DISTRICT COURT

CHARGES: THEFT OF PROP 1ST 13A-008-003 F FELONY

WITNESS FOR THE STATE

DEANN BROWN/2339 COUNTY ROAD 2267/TROY/36079

CORNELIUS HALL/2339 COUNTY RD 2267/TROY/36079
SGT CHUCK BAILEY/TPD/TROY/36081
OFFICER MIKE HUGHES/TPD/TROY/36081
OFFICER JIM MUELLER/TPD/TROY/36081

OPERATOR: JOP DATE: 10/04/2004

COPY

W A R R A N T

STATE OF ALABAMA PIKE COUNTY COPY DISTRICT COURT

AGENCY NUMBER:

WARRANT NUMBER: WR 2004 000604.00
OTHER CASE NBR:

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

YOU ARE HEREBY COMMANDED TO ARREST JOHNNIE CEPHUS FENN AND BRING HIM/HER BEFORE THE DISTRICT COURT OF PIKE COUNTY TO ANSWER THE STATE ON A CHARGE(S) OF:

THEFT OF PROP 1ST CLASS: B TYPE: F COUNTS: 001

AND HAVE YOU THEN AND THERE THIS WRIT WITH YOUR RETURN THEREON.

YOU WILL RECEIVE UNTO YOUR CUSTODY AND DETAIN HIM/HER UNTIL THE ________ DAY OF ________ ______, OR UNTIL LEGALLY DISCHARGED.

DATED THIS 04 DAY OF OCTOBER, 2004.

BOND SET AT: (1) $3,500.00 BOND TYPE:
(2) ____________
(3) ____________

[signature]
JUDGE/CLERK/MAGISTRATE OF DISTRICT COURT

CHARGES: THEFT OF PROP 1ST 13A-008-003 F FELONY

NAME: JOHNNIE CEPHUS FENN
ADDRESS: P O BOX 69
ADDRESS: 103 FINNY HILL, B'DGE, AL
CITY: TROY STATE: AL

ALIAS:
ALIAS:

ZIP: 36081 0000
PHONE: 000 000 0000 EXT: 000

EMPLOYMENT:
DOB: 05/08/1980 RACE: B SEX: M HAIR: BLK
EYE: BRO HEIGHT: 5'04" WEIGHT: 150
SID: 000000000 SSN: 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 DL NUM:

E X E C U T I O N

EXECUTED THE WITHIN WARRANT BY ARRESTING THE DEFENDANT AND

( ) PLACING DEFENDANT IN THE PIKE COUNTY JAIL

( ) RELEASING DEFENDANT ON APPEARANCE BOND

THIS ______________ DAY OF ________________________ ________

SHERIFF ____________________

BY ____________________

COMPLAINANT: DEANN BROWN
2339 COUNTY ROAD 2267
TROY AL 36079

OPERATOR: JOP DATE: 10/04/2004

* * * IN THE DISTRICT COURT OF PIKE COUNTY * * *

AGENCY NUMBER:

WARRANT NUMBER: WR 2004 000605.00
OTHER CASE NBR:

C O M P L A I N T

BEFORE ME THE UNDERSIGNED JUDGE/CLERK/MAGISTRATE OF THE DISTRICT COURT OF PIKE COUNTY, ALABAMA, PERSONALLY APPEARED JIM MUELLER WHO BEING DULY SWORN DEPOSES AND SAYS THAT HE/SHE HAS PROBABLE CAUSE FOR BELIEVING, AND DOES BELIEVE THAT JOHNNIE CEPHUS FENN DEFENDANT, WHOSE NAME IS OTHERWISE UNKNOWN TO THE COMPLAINANT, DID WITHIN THE ABOVE NAMED COUNTY AND

DID ON OR ABOUT OCTOBER 3, 2004, COMMIT THE CRIME OF ASSAULT 2ND DEGREE, WITH THE INTENT TO PREVENT A PEACE OFFICER, EMERGENCY MEDICAL PERSONNEL OR FIREFIGHTER FROM PERFORMING A LAWFUL DUTY, HE/SHE INTENDS TO CAUSE PHYSICAL INJURY, CAUSES PHYSICAL INJURY TO OFFICER JIM MUELLER, OR IN VIOLATION OF 13A-006-021 OF THE CODE OF ALABAMA, AGAINST THE PEACE AND DIGNITY OF THE STATE OF ALABAMA.

COMPLAINANT'S SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 04 DAY OF OCTOBER, 2004.

JUDGE/CLERK/MAGISTRATE OF DISTRICT COURT

CHARGES: ASSAULT 2ND DEGREE 13A-006-021 F FELONY

WITNESS FOR THE STATE

JIM MUELLER/TPD/TROY/36081

MIKE HUGHES/TPD/TROY/36081
CHUCK RAILEY/TPD/TROY/36081

OPERATOR: JOP DATE: 10/04/2004

W A R R A N T COPY

STATE OF ALABAMA PIKE COUNTY DISTRICT COURT

AGENCY NUMBER:

WARRANT NUMBER: WR 2004 000605.00
OTHER CASE NBR:

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

YOU ARE HEREBY COMMANDED TO ARREST JOHNNIE CEPHUS FENN AND BRING HIM/HER BEFORE THE DISTRICT COURT OF PIKE COUNTY TO ANSWER THE STATE ON A CHARGE(S) OF:

ASSAULT 2ND DEGREE CLASS: C TYPE: F COUNTS: 001

AND HAVE YOU THEN AND THERE THIS WRIT WITH YOUR RETURN THEREON.

YOU WILL RECEIVE UNTO YOUR CUSTODY AND DETAIN HIM/HER UNTIL THE ________ DAY OF ________ ______, OR UNTIL LEGALLY DISCHARGED.

DATED THIS 04 DAY OF OCTOBER, 2004.

BOND SET AT: (1) $2,500.00 BOND TYPE:
(2) ______________
(3) ______________

~~JUDGE/CLERK~~/MAGISTRATE OF DISTRICT COURT

CHARGES: ASSAULT 2ND DEGREE 13A-006-021 F FELONY

NAME: JOHNNIE CEPHUS FENN
ADDRESS: P O BOX 69
ADDRESS: 103 FINNY HILL, B'DGE, AL
CITY: TROY STATE: AL
ALIAS:
ALIAS:
ZIP: 36081 0000
PHONE: 000 000 0000 EXT: 000

EMPLOYMENT:
DOB: 05/08/1980 RACE: B SEX: M HAIR: BLK
EYE: BRO HEIGHT: 5'04" WEIGHT: 150
SID: 000000000 SSN: 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 DL NUM:

E X E C U T I O N

EXECUTED THE WITHIN WARRANT BY ARRESTING THE DEFENDANT AND

( ) PLACING DEFENDANT IN THE PIKE COUNTY JAIL

( ) RELEASING DEFENDANT ON APPEARANCE BOND

THIS ______________ DAY OF ________________________________ ________

SHERIFF ______________________________

BY ______________________________

COMPLAINANT: JIM MUELLER
TPD

TROY AL 36081

OPERATOR: JOP DATE: 10/04/2004

* * * IN THE DISTRICT COURT OF PIKE COUNTY * * *

AGENCY NUMBER:

WARRANT NUMBER: WR 2004 000606.00
OTHER CASE NBR:

COMPLAINT

BEFORE ME THE UNDERSIGNED JUDGE/CLERK/MAGISTRATE OF THE DISTRICT COURT OF PIKE COUNTY, ALABAMA, PERSONALLY APPEARED MIKE HUGHES WHO BEING DULY SWORN DEPOSES AND SAYS THAT HE/SHE HAS PROBABLE CAUSE FOR BELIEVING, AND DOES BELIEVE THAT JOHNNIE CEPHUS FENN DEFENDANT, WHOSE NAME IS OTHERWISE UNKNOWN TO THE COMPLAINANT, DID WITHIN THE ABOVE NAMED COUNTY AND

DID ON OR ABOUT OCTOBER 3, 2004, COMMIT THE CRIME OF ASSAULT 2ND DEGREE, WITH THE INTENT TO PREVENT A PEACE OFFICER, EMERGENCY MEDICAL PERSONNEL OR FIREFIGHTER FROM PERFORMING A LAWFUL DUTY, HE/SHE INTENDS TO CAUSE PHYSICAL INJURY, CAUSES PHYSICAL INJURY TO OFFICER MIKE HUGHES, OR IN VIOLATION OF 13A-006-021 OF THE CODE OF ALABAMA, AGAINST THE PEACE AND DIGNITY OF THE STATE OF ALABAMA.

Michael R. Hughes
COMPLAINANT'S SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 04 DAY OF OCTOBER, 2004.

Joyce Penn [signature]
~~JUDGE/CLERK~~/MAGISTRATE OF DISTRICT COURT

CHARGES: ASSAULT 2ND DEGREE 13A-006-021 F FELONY

WITNESS FOR THE STATE

MIKE HUGHES/TPD/TROY/36081

SGT CHUCK RAILEY/TPD/TROY/36081
SGT JIM MUELLER/TPD/TROY/36081

OPERATOR: JOP DATE: 10/04/2004

COPY

W A R R A N T

STATE OF ALABAMA PIKE COUNTY COPY DISTRICT COURT

AGENCY NUMBER:

WARRANT NUMBER: WR 2004 000606.00
OTHER CASE NBR:

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

YOU ARE HEREBY COMMANDED TO ARREST JOHNNIE CEPHUS FENN AND BRING HIM/HER BEFORE THE DISTRICT COURT OF PIKE COUNTY TO ANSWER THE STATE ON A CHARGE(S) OF:
ASSAULT 2ND DEGREE CLASS: C TYPE: F COUNTS: 001
AND HAVE YOU THEN AND THERE THIS WRIT WITH YOUR RETURN THEREON.

YOU WILL RECEIVE UNTO YOUR CUSTODY AND DETAIN HIM/HER UNTIL THE ________ DAY OF ________ ______, OR UNTIL LEGALLY DISCHARGED.

DATED THIS 04 DAY OF OCTOBER, 2004.

BOND SET AT: (1) $2,500.00 BOND TYPE:
(2) ______________
(3) ______________

JUDGE/CLERK/MAGISTRATE OF DISTRICT COURT

CHARGES: ASSAULT 2ND DEGREE 13A-006-021 F FELONY

NAME: JOHNNIE CEPHUS FENN
ADDRESS: P O BOX 69
ADDRESS: 103 FINNY HILL, B'DGE, AL
CITY: TROY STATE: AL
ALIAS:
ALIAS:
ZIP: 36081 0000
PHONE: 000 000 0000 EXT: 000

EMPLOYMENT:
DOB: 05/08/1980 RACE: B SEX: M HAIR: BLK
EYE: BRO HEIGHT: 5'04" WEIGHT: 150
SID: 000000000 SSN: 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 DL NUM:

E X E C U T I O N

EXECUTED THE WITHIN WARRANT BY ARRESTING THE DEFENDANT AND

( ) PLACING DEFENDANT IN THE PIKE COUNTY JAIL

( ) RELEASING DEFENDANT ON APPEARANCE BOND

THIS ______________ DAY OF ______________________________

SHERIFF ______________________________

BY ______________________________

COMPLAINANT: MIKE HUGHES
TPD

TROY AL 36081

OPERATOR: JOP DATE: 10/04/2004

IN THE CIRCUIT COURT OF PIKE COUNTY, ALABAMA

STATE OF ALABAMA,	*	
PLAINTIFF,	*	CASE NO.: CC 2005-162
	*	CC 2005-163
VS.	*	CC 2005-164
JOHNNY FENN,	*	
DEFENDANT.	*	

SENTENCE ORDER

Defendant, Johnny Fenn, appeared before the Court and was represented by Brandon Coots, Attorney at Law. The State of Alabama was represented by S. J. Harrison, Assistant District Attorney for the Twelfth Judicial Circuit, State of Alabama.

In Case Number CC 2005-162 the Assistant District Attorney moved to reduce the charge against the Defendant from Theft First Degree to Unauthorized Use of a Motor Vehicle in violation of Title 13A-8-11 of the Code of Alabama, 1975. With no objection from and with the consent of the Defendant, the State's Motion is GRANTED.

At Defendant's request, the Defendant was allowed to withdraw Defendant's earlier plea and to be re-arraigned.

On arraignment, Defendant entered a plea of *GUILTY* in:

1. Case Number CC 2005-162 to Unauthorized Use of a Motor Vehicle in violation of Title 13A-8-11 of the Code of Alabama, 1975, as charged in Offense 1 of the indictment as reduced;
2. Case Numbers CC 2005-163 and Case Number CC 2005-164, **in each case**, to Assault Second Degree, **each** in violation of Title 13A-6-21 of the Code of Alabama, 1975, as charged in Offense 2 and 3 of the indictment.

The Court conducted a colloquy with the Defendant and did ascertain that the Defendant made a knowledgeable, intelligent, and a voluntary plea and that a factual basis exists sufficient to substantiate said plea.

Defendant is pronounced and declared *GUILTY* in:

1. Case Number CC 2005-162 of Unauthorized Use of a Motor Vehicle in violation of Title 13A-8-11 of the Code of Alabama, 1975; and,
2. Case Numbers CC 2005-163 and CC 2005-164, in each case, of Assault Second Degree, each in violation of Title 13A-6-21 of the Code of Alabama, 1975;

all against the peace and dignity of the State of Alabama.

Defendant was then:

(1) Afforded an opportunity to make a statement in Defendant's own behalf before sentencing and was further asked if Defendant had anything to say as to why the sentence of the law should not be imposed;

(2) Given an opportunity to present evidence as to any matter probative in the issue of sentence and/or facts in mitigation of any penalty that is to be imposed.

The State was then afforded an opportunity to present evidence as to any matter probative to the issue of sentence and/or facts in aggravation or mitigation of any penalty that is to be imposed.

The State offered evidence pursuant to the Habitual Felony Offender Act that the Defendant has four (4) prior felony convictions and upon offer of evidence this Court finds that the Defendant has been previously convicted of the following proper prior felony convictions: (1) Case Number CC 2001-48, Possession of Forged Instrument Second Degree, (2) Case Number CC 2001-49, Possession of Forged Instrument Second

Degree, (3) Case Number CC 2002-280, Fraudulent Use of Credit Card, and (4) Case Number CC 2002-65, Receiving Stolen Property First Degree, all in the Circuit Court of Pike County, Alabama.

After considering the arguments of the parties and any evidence presented;

IT IS ORDERED that for Defendant's conviction in Case Numbers CC 2005-162 of Unauthorized Use of a Motor Vehicle, and in Case Numbers CC 2005-163 and CC 2005-164 in each case of Assault Second Degree, Johnny Fenn is sentenced in each case to fifteen (15) years in the Penitentiary, State of Alabama. The Defendant's sentences in Case Numbers CC 2005-162, CC 2005-163 and CC 2005-164 are *ORDERED* to run CONCURRENT with each other.

The Defendant's sentence is suspended and the Defendant is placed on SUPERVISED PROBATION for a period of five (5) years; however, as a first condition of probation the Defendant shall serve a period of one (1) year in the custody of the Commissioner of the Department of Corrections.

The Defendant is given credit for any time the Defendant has already served while awaiting trial and/or disposition in this case. The Defendant is given credit for time served in these cases.

As an additional part of Defendant's sentence, the Defendant is hereby *ORDERED* to pay in each case to the Circuit Clerk of this Court the costs of Court, the Defendant is *ORDERED* to pay in each case $50.00 to the Clerk of the Court, which sum is to be distributed by the Clerk to the Alabama Crime Victims Compensation and is *ORDERED* to reimburse the State for any attorney fees the State is caused to pay out due to the Defendant's representation herein. The State of Alabama has sixty (60) days to file with the Court, with a copy being sent to Defendant's Attorney, any amount of restitution, etc., to be paid by the Defendant in each case. The Defendant shall have thirty (30) days to file any objections to the amount of restitution, filed by the State. If an objection is filed by the Defendant, this Court will set a restitution hearing to determine what amount of restitution, if any, the Defendant shall be ordered to pay. If the Defendant does not file any objection to the amount of restitution filed by the State, then that shall be the amount of restitution that the Defendant shall pay and payment of said term of Defendant's probation.

If the State fails to file any amount of restitution within sixty (60) days, then in that case, the Defendant shall not be required to pay restitution as a part of this sentence and probation.

The payment of the above is to be made in the heretofore-listed order and is to be made a condition of probation, parole, or other early release. The Defendant as a specific term of his probation, shall upon release from incarceration, establish with his Probation Officer a specific monthly amount to be paid towards Court ordered monies until paid in full. If the Defendant fails to make any monthly payment within ten (10) days of the date due, then the entire unpaid balance immediately becomes due and payable.

Should the Defendant have any income while incarcerated in an Alabama Penitentiary or Correctional Facility, the Alabama Department of Corrections is *ORDERED* to pay twenty-five percent (25%) of Defendants said funds (which funds of the Defendant the Department may come into possession of) to the Clerk of the Court, Pike County, Alabama, as is allowed by law and said Department is *ORDERED* to pay same to the Clerk of the Court until such time as all restitution, costs, and above ordered fees are paid in full.

This the 26th day of April 2005.

ROBERT W. BARR
Circuit Judge

21 22 23 24 25 26 27 28 29 30 31 — 1 2 3 4 5
APR 2005
Brenda [illegible]
Court Clerk
Pike Co., Ala.

[illegible]enda Meadows Peacock, Clerk & Register of the Circuit [illegible]urt for Pike County, Alabama, do hereby certify that the foregoing is a true and correct copy of the original document in the above stated cause, which is on file and enrolled in my office. Witness my hand and seal this the 12 day of July, 2005

Brenda M Peacock
Circuit Court Clerk

STATE OF ALABAMA

Peace Officers Standards and Training Commission

ALABAMA GREAT SEAL

hereby issues this award
thereby certifying that

James Benjamin Crawley

has completed the required course of instruction afforded by a duly certified law enforcement academy and by these presents is certified as a law enforcement officer and is entitled to such professional standing as a law enforcement officer as may be accorded by reason of this certification.

On this the 18th day of July, 2002

GOVERNOR

CHAIRMAN, P.O.S.T.C.

ATTORNEY GENERAL

EXECUTIVE SECRETARY

NO. 22349

© GOES 746

LITHO IN U.S.A.

Montgomery Police Academy

Montgomery Alabama

MONTGOMERY POLICE ACADEMY

This is to certify that

James Benjamin Crawley

has completed the curriculum for the

480 Hours Course in Fundamentals of Law Enforcement

and in recognition thereof is awarded this

Certificate of Completion

Chief of Police

July 18, 2002
Date

Academy Director

© GOES 746

LITHO IN U.S.A.

Certificate of Participation

Center for Continuing Education
Troy State University, Troy, Alabama 36082

Ben Crawley
Participant

Operation Safe Students

February 17, 2002
Troy State University, Troy, Alabama

Participation Hours: 2.00
Continuing Education Units: .20

Sgt. Mike Reese, Presenter

To be placed in participant's personnel file.

U. S. DEPARTMENT OF JUSTICE

CERTIFICATE OF TRAINING

IS PRESENTED TO

James Benjamin Crawley

for successful completion of the 2004 Middle District LECC Conference, sponsored by the Law Enforcement Coordinating Committee (LECC) for the Middle District of Alabama. This conference is approved for 11 hours Executive Level POST credit.

Leura G. Canary
United States Attorney
Middle District of Alabama

May 12-13, 2004

Ozark Police Department

BEN CRAWLEY

has successfully completed the 8 hour course:

STRESS MANAGEMENT

The 23RD day of FEBRUARY, 2005

Lt. Bobby Blankenship

Sgt. Jake Heath

CERTIFICATE OF

ACHIEVEMENT & APPRECIATION

Ben Crawley

FOR OUTSTANDING PERFORMANCE IN THE LINE OF DUTY
ON MARCH 23, 2002

TROY POLICE DEPARTMENT

TROY, ALABAMA

LT. Jimmy Ennis
Sgt. Randall Barr

The City of TROY

P.O. Box 549
300 Elm Street
Troy, Alabama 36081

Police Department

Chief of Police
Anthony C. Everage

October 24, 2005

TO WHOM IT MAY CONCERN:

This is to confirm that Officer James B. Crawley received O. C. Aerosol Spray Training at the City of Troy Police Training Facility in January 2002.

Sgt. Timothy W. Hunter

Sgt. Timothy W. Hunter
Training Officer

TWH/jrc

334/ 566-0500

334/ 566-7131

www.troypd.com

tpd@troypd.com

TASER® INTERNATIONAL

ADVANCED TASER® M26 CERTIFICATION

James B. Crawley
Certified User

This Certifies that *James B. Crawley is trained in the proper and safe use of the ADVANCED TASER® Conducted Energy Weapon and has passed the requirements of the ADVANCED TASER law enforcement and corrections training program under the supervision of a Certified Instructor.*

In Witness Whereof, Certified Instructor Stephen Dukes *has certified the successful completion of the training requirements this date, August 14, 2003.*

Certified Instructor: [signature]

Certified Instructor ID: 020121206191412871346C